

S.B.CRIMINAL MISC. PETITION NO.548/2007
(Raj Kamal Bhandari Vs. State of Raj. & Anr.)

Date of order : : 17.04.2007

HON'BLE MR. KRISHAN KUMAR ACHARYA, J.

Mr.Firoz Khan, for the petitioner.

This misc. petition under Section 482 Cr.P.C. has been filed by the petitioner against the order dated 7.10.2006 passed by learned Additional Chief Judicial Magistrate (Economic Offences), Jodhpur in criminal case No.101/2006 whereby learned Magistrate has refused to summon documents and dismissed the application under Section 91 and 340 Cr.P.C. filed by the petitioner.

I have heard learned counsel for the petitioner and gone through the order passed by learned Additional Chief Judicial Magistrate. Learned Magistrate has given cogent reason for dismissing the application filed by the petitioner. At that stage, it is not required to summon any document. I see no ground to interfere with the order passed by learned Magistrate. This misc.

petition has no force and the same is dismissed. The petitioner may lead their oral as well as documentary evidence at the time of defence. Learned Magistrate shall proceed with matter in accordance with the law without being prejudiced by his earlier finding regarding summoning of the documents.

(KRISHAN KUMAR ACHARYA), J.

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